

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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MAGDALENA SANCHEZ,

Plaintiff,

v.

GREENPOINT MORTGAGE FUNDING,
INC., COUNTRYWIDE FULL SPECTRUM
LENDING DIVISION, UNITED TITLE OF
NEVADA, et al.,

Defendants.

2:09-cv-00401-LRH-PAL

ORDER

Before the court are Defendant Countrywide Full Spectrum Lending Division's Motion to Dismiss (#7¹) and Defendant Greenpoint Mortgage Funding, Inc.'s Motion to Dismiss and Request for Judicial Notice (#9). On March 20, 2009, this court issued a *Klinge* Order notifying Plaintiff that pursuant to Local Rule 7-2(d), failure to respond to any motion constitutes consent to the granting of the motion. This court further entered a Minute Order (#17) notifying Plaintiff of the Defendants' motions to dismiss (#7 and #9) and gave Plaintiff until May 10, 2009, in which to show cause why Defendants Countrywide Full Spectrum Lending Division and Greenpoint Mortgage Funding, Inc.'s motions should not be granted. No response has been filed by Plaintiff. Pursuant to Local Rule 7-2(d), Defendants' motions to dismiss are therefore granted.

¹Refers to court's docket number.

1 Although United Title of Nevada is a named defendant in this case, the court's docket
2 reveals that it has never been served with process. Accordingly, pursuant to Federal Rule of Civil
3 Procedure 4(m), Plaintiff is granted ten (10) days to show good cause for her failure to effect
4 service. If Plaintiff does not do so, the court will dismiss this action against United Title of
5 Nevada.

6 IT IS THEREFORE ORDERED that Countrywide Full Spectrum Lending Division's
7 motion to dismiss (#7) is GRANTED without prejudice.

8 IT IS FURTHER ORDERED that Greenpoint Mortgage Funding, Inc.'s Motion to Dismiss
9 and Request for Judicial Notice (#9) is GRANTED without prejudice.

10 IT IS FURTHER ORDERED that Plaintiff is granted thirty (30) days to file an amended
11 complaint to state a claim against Defendants Greenpoint Mortgage Funding, Inc. and
12 Countrywide Full Spectrum Lending Division. In the event Plaintiff fails to do so, the clerk of
13 court is directed to enter judgment in favor of Defendants Greenpoint Mortgage Funding, Inc. and
14 Countrywide Full Spectrum Lending Division pursuant to Federal Rule of Civil Procedure 54(b).
15 Final judgment in favor of these defendants is warranted, as there is no just reason for delay in
16 light of Plaintiff's continued failure to respond to any of the defendants' motions.

17 IT IS FURTHER ORDERED that Plaintiff is granted ten (10) days to show good cause for
18 her failure to effect service on United Title of Nevada.

19 IT IS SO ORDERED.

20 DATED this 15th day of July, 2009.



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23 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE
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